

LOWENSTEIN SANDLER LLP

Attorneys at Law

65 Livingston Avenue

Roseland, New Jersey 07068

973.597.2500

Attorneys for Defendant Bankrate, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

BANXCORP,

Plaintiff,

vs.

BANKRATE, INC.,

Defendant.

Civil Action No. 07-3398

Hon. Kevin McNulty, U.S.D.J.

**ORDER GRANTING
BANKRATE'S MOTION TO
STRIKE THE OPINION OF
STAN V. SMITH PH.D,
BANXCORP'S DAMAGES
EXPERT**

THIS MATTER having been presented to the Court by Lowenstein Sandler LLP, attorneys for Defendant Bankrate, Inc. ("Bankrate"), upon application for an Order granting Bankrate's Motion to Strike the Report and Opinions of Stan V. Smith, Ph.D., BanxCorp's Damages Expert, pursuant to Fed. R. Evid. 702; and the Court having considered the papers submitted in support thereof, and in opposition thereto, and the arguments of counsel; and for good cause shown,

It is on this _____ day of _____, 2013,

ORDERED that Bankrate's Motion to Strike the Report and Opinions of Stan V. Smith, Ph.D is hereby **GRANTED**.

Hon. Kevin McNulty, U.S.D.J.